

# Senior Divorce in California

## Property Division:

California is a community property state, which means that assets acquired during the marriage are generally divided equally in a divorce. Older couples may have accumulated significant assets like retirement accounts and real estate, which will need to be divided fairly.

## Health Insurance:

Health insurance is crucial for older individuals. In some cases, a divorce settlement may need to address health insurance coverage, especially if one spouse was covered through the other's employer.

## Spousal Support:

Spousal support, also known as alimony, may be a significant issue in senior divorces. The court will consider factors such as the length of the marriage, each spouse's income and financial needs, and the standard of living during the marriage when determining spousal support.

## Social Security:

Social Security benefits can be complex in a senior divorce. In general, spouses who were married for at least ten years may be eligible to claim benefits based on their ex-spouse's work history if it results in a higher benefit.

## Retirement Accounts:

Retirement accounts like 401(k)s and pensions are often significant assets for older couples. These may need to be divided through a Qualified Domestic Relations Order (QDRO).

## Estate Planning:

Older couples may need to update their estate plans, wills, and beneficiary designations following a divorce to ensure their assets go to their desired beneficiaries.

**It's essential to consult with a family law attorney experienced in senior divorces to navigate the specific legal and financial aspects of your situation. They can provide guidance tailored to your circumstances and help you understand your rights and obligations under California law.**

## About Arlene:

Engaged for decades in the Northern California legal community, Arlene D. Kock is a past member of the Alameda County Bar Association (ACBA) Board of Directors. She served on their Attorney Referral Panel for many years and was the past chair of their Ethics and Civility Committee. In her capacity on that committee, Arlene was instrumental in assisting the team in preparing and creating the ACBA statement of professionalism and civility, a policy that is expected to be adhered to today by the court and litigants. She is currently a member of the ACBA and the Contra Costa County Bar Association.



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